IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

LA.App..No. 1419 of 2007(D)

LAR.173/2000 of PRINCIPAL SUB COURT, N.PARAVUR
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APPELLANT: 1ST RESPONDENT:

STATE OF KERALA,
REPRESENTED BY DISTRICT COLLECTOR, ERNAKULAM.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA.

RESPONDENTS: CLAIMANT & ADDL.2ND RESPONDENT:
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1. JOY, S/O. ANTHONY,
PARAVOOKARAN, PADAYATTY HOUSE, ANGAMALY VILLAGE.

2. KOCHI INTERNATIONAL AIRPORT SOCIETY,
REP. BY ITS MANAGING DIRECTOR, NEDUMBASSERY,
ANGAMALY.

BY ADV. SMT.T.N.GIRIJA, SC, COCHIN I AIRPORT LT

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No.1419 of 2007

Dated this the 5th day of December, 2007

JUDGMENT

Kurian Joseph,J.

This appeal is filed against the judgment and decree in L.A.R.No.173/2000 on the file of the Sub Court, North Paravur. The acquisition is for the purpose of Kochi International Airport. The reference court fixed the land value by granting an enhancement at the rate of 65% over and above the land value awarded by the Land Acquisition Officer. This court in similar cases remanded the matter to the reference court for fresh consideration by judgment in L.A.A.No.1532/2005. For parity of reasons we set aside the judgment and decree and remand the matter to the reference court for fresh consideration. The parties shall appear before the reference court on 11-1-2008. The reference shall be answered within another six months. The parties are free to adduce fresh evidence in the matter.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.No.1419 of 2007

JUDGMENT

5th December, 2007